

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

HOPE MILL VILLAGE ASSOCIATES, LLC : BK No. 08-12568
Debtor : Chapter 7
- - - - -x

VINCENT R. COCCOLI, SR. :
Plaintiff :

vs. : A.P. No. 10-1015

JOSEPH S. IZZI :
ROBERT LAFERRIERE :
LAWRENCE LABONTE :
NELSE CLARK :
NEW ENGLAND DEVELOPMENT & :
FUNDING, LLC :
THE STATE OF RHODE ISLAND :
RHODE ISLAND DIVISION OF TAXATION :
RHODE ISLAND DEPARTMENT OF REVENUE :
RHODE ISLAND HISTORICAL :
PRESERVATION & HERITAGE COMMISSION :
Defendants

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SUA SPONTE ORDER DISMISSING COMPLAINT
AS TO DEFENDANT ROBERT LAFERRIERE

In a series of Orders the Court has dismissed the Complaint as to most of the Defendants in this Adversary Proceeding for lack of subject matter jurisdiction. The sole Defendant remaining is Robert Laferriere. After again reviewing the Amended Complaint, the case, and this Court's prior orders, I am satisfied that the claims asserted here by Vincent R. Coccoli, Sr., are unrelated to the bankruptcy case and are therefore, outside the jurisdiction of this Court. Federal Rule of Civil Procedure 12(h)(3), made applicable by Fed. R. Bankr. P. 7012, provides that "[i]f the court determines at any time that it lacks subject matter jurisdiction, the court

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must dismiss the action." (Emphasis added.) For the jurisdictional reasons more fully explained in this Court's Decision and Order dated March 16, 2011, dismissing the Complaint in this same Adversary Proceeding against Defendants Lawrence Labonte, Nelse Clark and New England Development & Funding, LLC (Doc. No. 110), the Complaint is **DISMISSED**, with prejudice, as to Mr. Laferriere, the last remaining Defendant.

Entered as an Order of this Court.

Dated at Providence, Rhode Island, this 22nd day of March, 2011.



Arthur N. Votolato
U.S. Bankruptcy Court

Entered on docket: 3/22/11